UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NORTH CAROLINA GREENVILLE DIVISION

IN RE:

HENDRIX-BARNHILL COMPANY, INCORPORATED, CAS

CASE NO. 11-01974-8-RDD CHAPTER 11

DEBTOR

NOTICE OF PROPOSED PUBLIC SALE

TO: ALL CREDITORS AND PARTIES IN INTEREST

NOTICE IS HEREBY GIVEN, that provided no objections by a party in interest are filed with this Court with a request for a hearing **on or before 10:00 a.m. on Monday, October 3, 2011**, upon approval of the Bankruptcy Court, the Debtor's interest in the personal property described herein shall be sold via public sale.

FOREWORD

This Notice is given for the purpose of providing to all creditors and parties-in-interest information reasonably calculated to allow an informed decision as to whether to support, object or abstain with respect to this Notice of Proposed Public Sale, whereby the Debtor intends to liquidate certain personal property by public auction sale on **Thursday, October 6, 2011 at 9:00 a.m. at 1294 Greenville Avenue, Williamston, North Carolina, 27892** or thereafter, as soon as possible.

The property to be sold (the "Property") consists of the Debtor's interest in certain personal property listed on **Exhibit** "A" attached hereto, which also lists the corresponding liens. Branch Banking & Trust Company ("BB&T"), the secured creditor for the personal property to be sold, is aware of this Notice and consents to it, subject to agreement as to reasonable reserve prices on the equipment.

Any party desiring additional information concerning the proposed sale and the Property to be sold at the proposed sale should contact AMY M. CURRIN, STUBBS & PERDUE, P.A., ATTORNEY FOR DEBTOR, P.O. BOX 1654, NEW BERN, NC 28563, (252) 633-2700, (252) 633-9600 (facsimile). The Debtor is proposing an orderly, advertised public sale of the property in a manner the Debtor believes will generate maximum proceeds for distribution to creditors. All distributions of the proceeds of sale will be in accordance with any existing security instruments, orders of the Bankruptcy Court and the priorities set forth in the Bankruptcy Code.

THE BANKRUPTCY COURT HAS NOT REVIEWED THE INFORMATION PROVIDED IN THIS NOTICE, AND HAS NOT OFFERED AN OPINION AS TO ITS ACCURACY, SUFFICIENCY OR COMPLETENESS. IT IS ANTICIPATED THAT THE BANKRUPTCY COURT MAY REVIEW THE DISCLOSURES MADE HEREIN AT THE HEARING IN CONSIDERATION OF THE MOTION. THE PURPOSE OF THIS NOTICE IS TO PROVIDE CREDITORS WITH INFORMATION CONCERNING THE DEBTOR AND THE PROPOSED AUCTION SALE, IN ADVANCE OF THE SALE. THE DEBTOR, THROUGH COUNSEL, WILL

ATTEMPT TO RESPOND TO ALL REASONABLE INQUIRIES CONCERNING THE INFORMATION PROVIDED HEREIN.

PARTIES IN INTEREST ARE ENCOURAGED TO SEEK THE ADVICE OF COUNSEL TO MORE FULLY DETERMINE WHAT RIGHTS THEY MAY HAVE WITH RESPECT TO THE SALE CONTEMPLATED HEREIN.

GENERAL INFORMATION

Hendrix-Barnhill Company, Incorporated (the "Debtor"), is a North Carolina corporation that engages in the business of installing water and sanitary sewer systems. The Debtor's principal place of business and location of operations is in Pitt County, North Carolina. The Debtor filed its petition pursuant to Chapter 11 of the United States Bankruptcy Code on March 15, 2011. The Property to be sold is owned by the Debtor.

The Debtor is proposing, after notice to all creditors, to sell the Property described herein, and firmly believes that approval of the public sale is in the best interest of all creditors and parties in interest. The Debtor has applied for the employment of Lloyd Meekins & Sons Auction Co. ("Lloyd Meekins & Sons") as auctioneer. Lloyd Meekins & Sons shall conduct the public sale of the assets as proposed herein, with all net proceeds from the sale of these assets to be distributed in accordance with the priorities of the Bankruptcy Code and future orders of the Bankruptcy Court.

The Debtor proposes to distribute all proceeds of sale first to payment of expenses allowed under 11 U.S.C. §506(c), including any quarterly fees resulting from the sale, and then to holders of liens upon the Property, pursuant to Orders of the Bankruptcy Court. The proposed sale will be free and clear of all liens and encumbrances, with all liens attaching to the proceeds of the encumbered property.

Typically, a sale of the type proposed by the Debtor requires the following attributes:

1. A sound business reason;

- 3. A fair and reasonable price;
- 2. Accurate and reasonable notice;
- 4. The existence of good faith.

The Debtor believes that a public sale of the Property will yield the maximum benefit for his creditors. The Debtor asserts that this constitutes a sound business reason for the sale. Second, the Debtor asserts that this Notice provides suitable information necessary to determine whether or not to oppose the public sale contemplated herein; additional information can be obtained by contacting the undersigned attorney. Third, the Debtor asserts that the sale, adequately noticed, provides a fair means of liquidating the Debtor's Property. Finally, the Debtor has proposed this sale in good faith. The Debtor's proposed sale will serve to accomplish an arms-length sale of the Property. The Debtor will not retain an interest in any Property sold following approval and completion of the sale.

Any party desiring to examine the Property should contact the undersigned counsel for the Debtor or Lloyd Meekins & Sons at (910) 739-0547.

FURTHER NOTICE IS HEREBY GIVEN, that objection to the proposed public sale may be filed with the Clerk, U.S. Bankruptcy Court, with a copy served on the Attorney whose name

appears at the bottom of this Notice, on or before 10:00 a.m. on Monday, October 3, 2011. If a response and a request for a hearing is filed by a party in interest in writing within the time indicated, a hearing will be conducted on this Notice, and Response and Objections thereto on Monday, October 3, 2011 at 11:00 a.m. at the United States Bankruptcy Court, 1760-A Parkwood Boulevard West, Wilson, North Carolina. Any party requesting a hearing shall appear at said hearing in support of such request or may be assessed Court costs. If no request for a hearing is timely filed, the Court may rule on this Notice and Response thereto ex parte without further notice.

DATED: 09/30/2011

s/Amy M. Currin
AMY MARVINE CURRIN
N.C. State Bar No. 26031
ASHLEY BAXTER CURRY
N.C. State Bar No. 39524
STUBBS & PERDUE, P.A.
Post Office Box 1654
New Bern, North Carolina 28563-1654
(252) 633-2700
(252) 633-9600 Facsimile
Attorneys for Debtor

EXHIBIT A - PROPERTY TO BE SOLD AT PUBLIC AUCTION

Equipment

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Serial #</u>	<u>Lien</u>
	2001 Caterpillar	420-D Backhoe	FDP03821	BB&T (Blanket)
	2001 Caterpillar	420-D Backhoe	FDP08729	BB&T (Blanket)
	2003 Case	580-SM Backhoe	JJG0374313	BB&T (Blanket)
	2003 Case	621-DXT Loader	JEE0135683	BB&T (Blanket)

Vehicles

Year	<u>Make</u>	<u>Model</u>	<u>VIN #</u>	<u>Lien</u>
2004	Ford	F-250 Truck	1FTNW20L04EB44246	
2005	Ford	F-250 Truck	1FTSW20575EB99878	BB&T
2005	Ford	F-250 Truck	1FTSW20515EC94078	BB&T
2006	Ford	F-150 Truck	1FTPX12526FA11452	BB&T
1999	Ford	F-800 Flat Bed Truck	3FENF80C1XMA08846	
2000	Ford	F-150 Truck	1FTRX17W0YNA69062	
2003	Ford	F-250 Truck	1FTNW20L73EA75652	
2003	Ford	F-150 Truck	1FTRX17L73NA78386	
2003	Ford	F-250 Truck	1FTNW20L4EC46431	
2003	Ford	F-250 Truck	1FTNW20L03EB74295	
2004	GMC	Yukon	1GKEK13Z44R212115	
2004	Ford	F-250 Truck	1FTNW20L84ED01487	
2005	Ford	F-250 Truck	1FTSW20505EB89001	BB&T
2005	Ford	F-250 Truck	1FTSW20575ED17119	

CERTIFICATE OF SERVICE

I, Amy M. Currin, Post Office Box 1654, New Bern, North Carolina 28563-1654 certify;

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on the 30th day of September, 2011, I served copies of the foregoing Notice on the parties listed below and on **Exhibit "A"** attached hereto, by depositing a copy of the same in the United States mail bearing sufficient postage or electronically as indicated;

I certify under penalty of perjury that the foregoing is true and correct.

EXECUTED ON: 09/30/2011

s/Amy M. Currin

AMY MARVINE CURRIN N.C. State Bar No. 26031 STUBBS & PERDUE, P.A.

Post Office Box 1654

New Bern, North Carolina 28563-1654

(252) 633-2700

(252) 633-9600 Facsimile Attorneys for Debtor

cc:

Bankruptcy Administrator (via CM/ECF)

Hendrix-Barnhill Company, Incorporated (via E-mail)

Attn: R. Kelly Barnhill, Jr.

Lloyd Meekins & Sons Auction Co. (via E-mail)

Attn: Lloyd Meekins, Jr., President

Daniel C. Bruton (via CM/ECF)

Counsel for BB&T

Elizabeth Repetti (via CM/ECF)

Counsel for BB&T

RECEDENCE H STURBS AR

HENDRIX-BARNHILL COMPANY, INCORPTORANTIED H. STUBBS, JR. PO BOX 1904 STUBBS & PERDUE, P.A. GREENVILLE, NC 27835 PO BOX 1654

NEW BERN, NC 28563

BRANCH OF REORGANIZATION ATTN: MANAGING AGENT 3475 LENOX ROAD NE #1000 ATLANTA, GA 30326

SECRETARY OF TREASURY ATTN: MANAGING AGENT 1500 PENNSYLVANIA AVE NW WASHINGTON, DC 20220 NC DEPT. OF REVENUE ATTN: MANAGING AGENT PO BOX 25000 RALEIGH, NC 27640 EMPLOYMENT SECURITY COM. ATTN: MANAGING AGENT PO BOX 25903 RALEIGH, NC 27611

INTERNAL REVENUE SERVICE ATTN: MANAGING AGENT PO BOX 7346 PHILADELPHIA, PA 19101-7346 UNITED STATES ATTORNEY 310 NEW BERN AVENUE FEDERAL BLDG SUITE 800 RALEIGH, NC 27601-1461 ALLY FINANCIAL ATTN: MANAGING AGENT PO BOX 130424 ROSEVILLE, MN 55113

AMERICAN EXPRESS C/O BECKET & LEE POB 3001 MALVERN, PA 19355-0701 AT&T ATTN: MANAGING AGENT PO BOX 105068 ATLANTA, GA 30349 BARNHILL FAMILY PROPERTIES PO BOX 1904 GREENVILLE, NC 27835

R. KELLY BARNHILL, III 3612 WYNESTON RD GREENVILLE, NC 27858 R. KELLY BARNHILL, JR. PO BOX 1904 GREENVILLE, NC 27835 ROBERT K. & MARY ANN BARN PO BOX 1904 GREENVILLE, NC 27835

ROBERT K. BARNHILL, SR. PO BOX 1904 GREENVILLE, NC 27835 BB&T ATTN: MANAGING AGENT PO BOX 1847 WILSON, NC 27894-1847 BB&T ATTN: MANAGING AGENT PO BOX 580050 CHARLOTTE, NC 28258-0050

BB&T FINANCIAL, FSB ATTN: MANAGER OR AGENT PO BOX 1847 WILSON, NC 27894-1847 BOR-CO, INC. ATTN: MANAGING AGENT 6682 HWY 43 SOUTH GREENVILLE, NC 27835 DANIEL C. BRUTON ATTY FOR BB&T PO BOX 21029 WINSTON SALEM, NC 27120-1029

BURTON STEEL CO., INC. ATTN: MANAGING AGENT PO BOX 265 WILMINGTON, NC 28402-0265 CARL & SONS CONSTRUCTION ATTN: MANAGING AGENT 3100 MONROE LANE BOLIVIA, NC 28422 CAROLINA AGC, INC. ATTN: MANAGING AGENT PO BOX 30277 CHARLOTTE, NC 28230

CAROLINA ENVIRONMENTAL ATTN: MANAGING AGENT PO BOX 1905 MOUNT AIRY, NC 27030 CASTLE CONTRACTING, INC. ATTN: MANAGING AGENT PO BOX 489 CASTLE HAYNE, NC 28429 CAVALIER HOSE & FITTINGS ATTN: MANAGING AGENT PO BOX 894 FARMVILLE, VA 23901 CITY OF NORTHWEST ATTN: MANAGING AGENT PO BOX 1509 LELAND, NC 28451

DOMINION NC POWER ATTN: MANAGING AGENT PO BOX 27503 PO BOX 27503 RICHMOND, VA 23261

EDWARD L. EMBREE ATTY FOR CNA SURETY PO BOX 13706 RTP, NC 27709

FRISCHKORN, INC. ATTN: MANAGING AGENT PO BOX 536479 ATLANTA, GA 30353-6479

PO BOX 1152 OXFORD, NC 27565

HANSON PIPE & PRECAST, INC. HD SUPPLY WATERWORKS ATTN: MANAGING AGENT ATTN: MANAGING AGENT ATTN: MANAGING AGENT PO BOX 842481 DALLAS, TX 75284-2481

953 BLACKROCK RD MERRY HILL, NC 27957

JOHNSTON COUNTY TAX COLL
ATTN: MANAGING AGENT
PO BOX 451
SMITHFIELD, NC 27577-0451
JONES & ASSOCIATES
ATTN: MANAGING AGENT
4966 OLD TAR RD
WINTERVILLE, NC 28590

LAKE VALLEY WELL CO., INC. ATTN: MANAGING AGENT PO BOX 1592 TARBORO, NC 27886

ATTN: MANAGER OR AGENT

1 N. LASALLE ST, STE 3600

CHICAGO, IL 60602

CONTECH CONSTRUCTION

ATTN: MANAGING AGENT

PO BOX 100715

ATLANTA GA 20004 CNA SURETY COMPANY

MICHAEL J. DUDEK ECO TURF C ATTY FOR CNA SURETY ATTN: MANAG 1 NORTH LASALLE STREET #3600 PO BOX 712 CHICAGO, IL 60602

FERGUSON ENTERPRISES
ATTN: MANAGER OR AGENT
2700-A YONKERS RD RALEIGH, NC 27604

RALEIGH, NC 27603

GRANVILLE PAVING, INC.

ATTN: MANAGING AGENT

PO BOX 1152

GREENVILLE PAVING, INC.

ATTN: MANAGING AGENT

ATTN: MANAGING AGENT

PO BOX 7088

HALLIDAY PRODUCTS, INC.

ATTN: MANAGING AGENT

6401 EDGEWATER DRIVE PO BOX 7088 GREENVILLE, NC 27835

> PO BOX 277838 ATLANTA, GA 30384-7838

HOLLAND LANDSCAPING, INC.

ATTN: MANAGING AGENT

JIM'S LIQUID WASTE HAULING, LLC

ATTN: MANAGING AGENT 400 BACH CIRCLE GREENVILLE, NC 27858 400 BACH CIRCLE

LAMBERT'S CABLE SPLICING CO. ATTN: MANAGING AGENT PO BOX 563 SHARPSBURG, NC 27878

CONTECH CONSTRUCTION

ECO TURF OF THE CAROLINASIN ATTN: MANAGING AGENT SUPPLY, NC 28462

FLO CON ATTN: MANAGING AGENT 3401 BROUGHTON DRIVE DURHAM, NC 27704

FRY FENCE CO., INC.

ATTN: MANAGING AGENT

3221 DURHAM DR, STE 115

RALEIGH, NC 27603

GARNER CONCRETE & S

ATTN: MANAGING AGENT

103 HUNTER'S TRACE

SNOW HILL, NC 28580 GARNER CONCRETE & SLIPFOR SNOW HILL, NC 28580

> 6401 EDGEWATER DRIVE ORLANDO, FL 32810

WILLIAM F. HILL ATTY GREENVILLE PAVING PO BOX 2517 GREENVILLE, NC 27836

JOHNSON BROS. UTILITY ATTN: MANAGING AGENT 1924 N. MAIN STREET LILLINGTON, NC 27546

L.I. JOHNSON, INC. ATTN: MANAGING AGENT 785 GARDNER RD FOUR OAKS, NC 27524

JAMES E. LANGSTON PO BOX 757 WINTERVILLE, NC 28590

LASCO FITTINGS, INC.

ATTN: MANAGING AGENT

16678 COLLECTIONS CENTER DR

LOCKLEAR B

ATTN: MANAG

PO BOX 770 THOMAS H. LANGSTON, JR. LOCKLEAR BORING, INC. PO BOX 757 ATTN: MANAGER OR AGENT WINTERVILLE, NC 28590 CHICAGO, IL 60693 CREEDMOOR, NC 27522 DINO MANNING ATTN: MANAGING AGENT PO BOX 745400 MACK GAY ASSOCIATES ATTN: MANAGING AGENT ATTN: MANAGIN PO BOX 715426 BAD ADDY 1667 WOODRUFF RD ROCKY MOUNT, NC 27804 COLUMBUS, OH 43271-5426 MERSINO DEWATERING, INC. MAR-TECH LAND MICROTEL INN & SUITES ATTN: MANAGING AGENT ATTN: MANAGING AGENT ATTN: MANAGING AGENT 10162 E. COLDWATER RD PO BOX 418 4646 EAST COAST LANE SHALLOTTE, NC 28459 DAVISON, MI 48423 SHALLOTTE, NC 28470 MOSES ASPHALT REPAIR MSC WATERWORKS
ATTN: MANAGING AGENT
7025 NW NORTHWINDS DR. NC DEPT. OF LABOR C/O DANIEL D. ADDISON PO BOX 629 ATTN: MANAGING AGENT PO BOX 657 WINTERVILLE, NC 28590 CONCORD, NC 28027-3334 RALEIGH, NC 27602 NEFF RENTAL OLD MILL PROPERTIES, LLC DR. CHARLES PACE PO BOX 1904 ATTN: MANAGING AGENT PO BOX 488 PO BOX 405138 GREENVILLE, NC 27835 GREENVILLE, NC 27835 ATLANTA, GA 30384-5138 KARL P. PACE, JR. PARKER POE PARKS PORTABLE TOILETS ATTNYS FOR WELLS FARGO PO BOX 129 ATTN: MANAGING AGENT GLOUCESTER, NC 28528 401 S. TRYON ST, STE 3000 PO BOX 1611 CHARLOTTE, NC 28202 GOLDSBORO, NC 27533 PHELPS & WHITE CONSTR. CO. PITNEY BOWES PITT COUNTY TAX COLLECTOR ATTN: MANAGING AGENT ATTN: MANAGING AGENT ATTN: MANAGING AGENT 208 BULL HILL ROAD PO BOX 371887 PO BOX 875 GREENVILLE, NC 27835-0862 WINDSOR, NC 27983 PITTSBURGH, PA 15250-7887 PUGH'S TIRE & SERVICE CENTER PUGH'S TIRE SERVICE, INC. PUGH'S. INC. ATTN: MANAGING AGENT ATTN: MANAGING AGENT ATTN: MANAGING AGENT 3303 S. MEMORIAL DR. 1205 DICKINSON AVE PO BOX 8045

GREENVILLE, NC 27858

RCOM RED STAR OIL, INC.
ATTN: MANAGING AGENT ATTN: MANAGING AGENT
6275 HWY 50 NORTH #112 802 PURSER DR.
BENSON, NC 27504 RALEIGH, NC 27603-4151

GREENVILLE, NC 27858

REBECCA F. REDWINE ATTY ROBERT & MARY ANN BAR 4600 MARRIOTT DR #150 RALEIGH, NC 27612

GREENVILLE, NC 27835

RINKER MATERIALS ATTN: MANAGING AGENT PO BOX 905875 CHARLOTTE, NC 28290-5875

ATTN: MANAGING AGENT PO BOX 146 POWELLSVILLE, NC 27967

ROANOKE-CHOWAN READY MIX

ROGERS TAPPING SERVICE, INC ATTN: MANAGING AGENT 2808 CONNECTOR DR WAKE FOREST, NC 27587

S & S ROCK SERVICE, INC. ATTN: MANAGING AGENT 6094 MOORES MILL RD ROUGEMONT, NC 27572

SAFECO INSURANCE COMPANY ATTN: JEREMY MEDEIROS, ESQ. 1500 N. COLLINS BLVD, STE 3000 RICHARDSON, TX 75080-3580

BYRON L. SAINTSING ATTY FERGUSON ENTERPRISES P.O. BOX 26268 RALEIGH, NC 27611

SAWYER & SON CONSTRUCTION, INC. SEWER EQUIPMENT CO. ATTN: MANAGING AGENT ATTN: MANAGING AGENT PO BOX 570 COLUMBIA, NC 27925

PO BOX 186 NEW SMYRNA BEACH, FL 32170 SMITH, KESLER & CO., INC. ATTN: MANAGING AGENT PO BOX 170249 SPARTANBURG, SC 29301-0024

SOUTHERN FLOW, INC. ATTN: MANAGING AGENT 6445 INDUSTRIAL WAY, STE A ALPHARETTA, GA 30004

SPAIN PLUMBING CO., INC. ATTN: MANAGING AGENT 1083 BRILEY RD GREENVILLE, NC 27834

BERNARD W. SPILMAN 3362 BELL ARTHUR RD GREENVILLE, NC 27834

JOHN B. SPILMAN, III 109 W. ACADEMY ST WILLIAMSTON, NC 27892

STATE CONSTRUCTION ATTN: DAVID TRICKEY PO BOX 999 GRAHAM, NC 27253

STATE CONTRACTING, INC. ATTN: MANAGING AGENT PO BOX 1934 WAKE FOREST, NC 27588

SUBURBAN EXTENDED STAY HOTEL SUNSET LODGE ATTN: MANAGING AGENT 245 EASTWOOD RD WILMINGTON, NC 28403

ATTN: MANAGING AGENT 497 WESTERN BLVD JACKSONVILLE, NC 28546

TERRATECH ENGINEERS INC. ATTN: MANAGER OR AGENT 4905 PROFESSIONAL CT. RALEIGH, NC 27609

THE CIVIL GROUP, LLC ATTN: MANAGING AGENT 1004 BULLARD COURT, STE 104A RALEIGH, NC 27615

THOMPSON PUMP & MGF ATTN: MANAGING AGENT PO BOX 291370 PORT ORANGE, FL 32129-1370 UNIFIRST CORP. ATTN: MANAGING AGENT PO BOX 1528 **ROCKY MOUNT, NC 27802**

WAKE STONE CORPORATION ATTN: MANAGING AGENT P.O. BOX 190 KNIGHTDALE, NC 27545

WELLS FARGO BANK ATTN: MANAGING AGENT 401 S. TRYON STREET STE 3000 CHARLOTTE, NC 28202

WILLIAM M. BLACK, JR., ESQ. ATTN: MANAGING AGENT PO BOX 19866 RALEIGH, NC 27619

WILSON RHODES ATTN: MANAGING AGENT 1501 HOOKER RD GREENVILLE, NC 27834